

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
WESTERN DIVISION

JEFFREY L. CLEMENS,)	CASE NO.:
)	
Plaintiff,)	JUDGE
)	
v.)	
)	
)	
DAVID A. KATZ, et al.,)	
)	
)	
Defendants.)	
)	<u>NOTICE OF REMOVAL</u>

NOW COMES the Defendants, Federal Bureau of Investigation ("FBI") Special Agent Ingerd Sotelo ("Sotelo") and Secret Service Agent Ralph Sozio ("Sozio"), by and through Gregory A. White, United States Attorney for the Northern District of Ohio, and Lynne H. Buck, Assistant United States Attorney, and respectfully states as follows:

1. This Notice of Removal is filed pursuant to 28 U.S.C. §§ 1441, 1442(a)(1), 1446, and 2679(d)(2), for the removal for disposition of Case No. CI 0200704650-000, captioned Jeffrey L. Clemens v. David Katz et al., now pending in the Lucas County

Court of Common Pleas, Ohio.

2. Defendants Sotelo and Sozio are sued individually and but have not been properly served in this case. The United States Attorney's Office has not been served but received a copy of the Complaint that was filed in the Lucas County Court of Common Pleas on July 2, 2007. A copy of the Complaint is attached hereto.

3. In the Complaint, Plaintiff alleges that he suffered injuries and violation of his rights under the United States Constitution.

4. This action involves issues of federal law and has been brought against individual officers of the United States acting within the scope of federal employment. Therefore, this action properly may be removed to the United States District Court for the Northern District of Ohio, Western Division, pursuant to 28 U.S.C. §§ 1441 and 1442(a)(1) and 2679(d)(2).

5. This Notice of Removal is being filed on August 1, 2007. This notice is thus timely pursuant to 28 U.S.C. § 2679(d)(2) and proper in accordance with the provisions of 28 U.S.C. §§ 1441, 1442(a)(1), and 1446.

6. A copy of this notice will promptly be served on all parties and filed with the clerk of the Lucas County Court of Common Pleas, pursuant to 28 U.S.C. § 1446(d).

WHEREFORE, Defendants Sotelo and Sozio give notice that the within action is removed to the United States District Court for the Northern District of Ohio, Western Division.

Respectfully submitted,

GREGORY A. WHITE
United States Attorney

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CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing Notice of Removal was served, via regular U.S. Mail, postage pre-paid, the 1st day of August, 2007 upon the following:

Jeffrey L. Clemens
412 Dockway Drive
Huron, Ohio 44839

Pro Se Plaintiff

Jane S. Randall
1400 Fifth Third Center
608 Madison Avenue
Toledo, Ohio 43604

Defendant

Charlene A. Cassel
c/o Court Diagnostic and
Treatment Center
One Stranahan Square #352
Toledo, Ohio 43604

Defendant

Gavin De Becker Inc.
11684 Ventura Blvd., #440
Studio City, CA 91604

Defendant

s/Lynne H. Buck
Lynne H. Buck
Assistant U.S. Attorney